

priorities. And Democrats can help by keeping spending in these bills low from the start—and resisting the urge to lace them with poison pill social policy.

Working together to strengthen America at home also means increasing access and lowering the cost of good health care. We should empower individuals and protect the doctor-patient relationship by promoting research into new treatments and cures and by investing in new information technology like electronic medical records and e-prescribing. We can also increase access by letting small businesses pool resources to get the same deals from insurers big businesses do.

In the coming months, Americans will hear a lot of different health care proposals coming out of the campaigns. And while presidential election years are not typically the time when broad based reforms are achieved, we shouldn't let disputes among candidates or the failures of the past keep us from delivering something for Americans now. In the long term, Republicans are committed to the goal of every American having health insurance. But there is no reason we can't find bipartisan support this year for other common sense measures that remove barriers to access and increase coverage options.

We should also be able to agree that too many judicial posts have been left empty too long. Last year we confirmed 40 judges, including six circuit court nominees, and an attorney general. But we are not on pace to keep up with historical precedent. The historical average for circuit court confirmations in the last Congress of a divided government is 17. President Clinton—who had the second most judicial confirmations in history, despite having to deal with a Republican Senate almost his entire time in office—had 15 circuit court confirmations in his last Congress.

Clearly, we need to catch up. But we can not confirm judges if they don't get hearings. And since last summer, Democrats have allowed only one hearing since last summer, one hearing—since last summer, one hearing—on a circuit court nominee. Compare that with Senate Republicans in 1999, who held more hearings on President Clinton's nominees in the fall of that year alone than Democrats allowed this President all last year. This pattern is neither fair nor acceptable.

As we focus on crucial issues at home, we are reminded that our first responsibility is to keep Americans safe. For some, the passage of time has made 9/11 seem like a distant memory and the people behind it a distant threat. Yet the best argument in favor of our current strategy of staying on offense is the fact that not a single terrorist act has been carried out on American soil since that awful day.

We decided early on in this fight that the best strategy would be to fight the terrorists overseas so we wouldn't have

to fight them at home. This policy has worked. And we must continue to ensure that it does by giving those who protect us all the tools they need.

One of the most valuable tools we have had is the Foreign Intelligence Surveillance Act, which lets us monitor foreign terrorists overseas and react in real time to planned attacks. In August, we updated this protection. Yet with only 10 days to go before it expires, we need to pass new FISA legislation that allows the intelligence community to continue its work and which assures telecom companies they will not be sued for answering the call to help in the hunt for terrorists.

Some of our Democratic colleagues delayed consideration of this vital legislation at the end of the last session. And it should have been the first thing we turned to this session. American lives do not depend on whether we pass the Indian health bill by the end of the month.

We also need to renew our commitment to the brave men and women of the Armed Forces whose hard work over a number of years has helped change the story in Iraq in 2007. No issue should bring us together more readily than this one. Yet no issue threatens to divide us more as the November elections draw near. Let the candidates say what they will. The Senate should stand united in supporting the troops—and we can start by affirming that the Petraeus plan is working.

We could even go one step further by making a pledge that during the session that begins today, we will not attack the integrity of our uniformed officers or subvert the efforts of the troops—all of whom have made sacrifices for us equally, regardless of our political parties or theirs.

Beyond that, we should be able to agree that we need to invest in the future of our military. This remarkable volunteer force is built on the finest training, weaponry, and education system in the world. We need to support this great national resource not only to retain our strength for today's battles, but in preparation for the unexpected challenges that lie ahead—particularly in the Persian Gulf and in the Pacific, where our strategic interests will continue to be challenged for many years to come.

So we stand at the beginning of a new year. I, for one, am hopeful that it will be a year in which we accomplish much for the people who sent us here. We can start by agreeing to protect taxpayer wallets and by facing concerns about health care and the other economic pressures that so many American families face. We must act right away to keep our economy strong. And above all we can work together to keep America and its interests safe both at home and overseas.

We can do all this—we can live up to our duties to work together on behalf of the American people—by learning from last year and working together.

Republicans are ready, we are eager, to do our part.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for the transaction of morning business for 60 minutes, with Senators permitted to speak for up to 10 minutes each and the time equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first half and the majority controlling the final half.

The Senator from Arizona.

WELCOMING ROGER WICKER

Mr. KYL. Mr. President, first, I join those who welcomed our new colleague, ROGER WICKER from Mississippi, to the Senate. I know he will serve his State and this Nation with distinction.

THE CHAPLAIN

Mr. KYL. Mr. President, I wish to mention and thank specifically our Chaplain, ADM Barry Black, for coming to Arizona this past weekend to join in celebrations relating to the Martin Luther King activities that occurred. After preaching three sermons and attending a couple other major events associated with Martin Luther King celebrations, Chaplain Black was right back here to open our session today. He certainly deserves our thanks and has my gratitude for joining us in Arizona.

FOREIGN INTELLIGENCE SURVEILLANCE ACT

Mr. KYL. Mr. President, I also wish to pick up on what our Republican leader has just been talking about: that we can, with bipartisanship, accomplish a great deal in this Senate and that there is no better place to start than on the Foreign Intelligence Surveillance Act. In the Senate, we refer to that by its acronym, FISA, but it needs to be our first important piece of business.

Certainly, our intelligence community, to whom we have given a very big responsibility, needs certainty with respect to its responsibilities and its rights. It needs permanency, not just 1-month extensions. This intelligence community must know the rules of the road. That is why it is so important for us to, within the next week or so, reauthorize the Foreign Intelligence Surveillance Act with a few additional changes to ensure that we can, in fact, collect this intelligence on our enemies.